

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

KEITH PEER,  
Defendant.

No. CR-04-038-FVS  
CV-05-163-FVS

ORDER GRANTING MOTION TO  
WITHDRAW MOTION TO VACATE

**THIS MATTER** having come before the Court based upon the parties' "Stipulated Withdrawal of Motion for Relief under 28 U.S.C. § 2255";  
Now, therefore

**IT IS HEREBY ORDERED:**

1. The parties' "Stipulated Withdrawal of Motion for Relief under 28 U.S.C. § 2255" (**Ct. Rec. 219**) is granted.

2. The defendant's motion to vacate (**Ct. Rec. 214**) is deemed withdrawn prior to adjudication on the merits.

**IT IS SO ORDERED.** The District Court Executive shall enter this order and furnish copies to the defendant, to counsel for the defendant, and to counsel for the United States. In addition, the District Court Executive shall close CV-05-163-FVS.

**DATED** this 2nd day of September, 2005.

s/ Fred Van Sickle  
Fred Van Sickle  
United States District Judge